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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, December 7, 2012, at 11 a.m.

## Senate

THURSDAY, DECEMBER 6, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of wonder, beyond all majesty, You alone are worthy of our praise. Stay with us, bringing Your grace and gladness to brighten our lives. Lord, remove our sins from us and cleanse us with Your spirit, emancipating us from fears about what tomorrow may hold.

Continue to direct the steps of our lawmakers, keeping them from eleventh-hour decisions that bring unintended negative consequences. Remind them that the cost of indecision may be much higher than they anticipate.

Purge them of the things that increase discord, that in unity they may serve You with faithfulness. We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 6, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 11:45 today. During that period of time, Senators will be allowed to speak up to 10 minutes each. It is certainly not mandatory, but we would like that time to be used for speeches of our retiring Senators.

At 11:45 a.m., the Senate will move to executive session to consider the Walker and Berg nominations, both district judges from Florida and Michigan, respectively.

At approximately 12:10 p.m., there will be up to three rollcall votes: first on passage of the Russia trade bill, and

then on confirmation of the Walker and Berg nominations. We expect only two rollcall votes as we hope the Berg nomination will be confirmed by voice.

### MIDDLE-CLASS TAX CUT

Mr. REID. Mr. President, we Democrats have been saying for more than 4 months it is time for the House to pass a middle-class tax cut, which we approved here in the Senate in July. As the days until the country goes over the fiscal cliff tick by, more and more Republicans have joined our chorus. They realize the Republican leaders' unwillingness to compromise sooner has put them in a real bind. So reasonable Republicans are asking their House leadership to allow a vote on the Senate-passed legislation. What was once a trickle has become more of a flood.

Last week, Republican Representative TOM COLE said it was time to give middle-class families certainty that taxes won't go up by \$2,200, on average, on January 1.

Then TIM SCOTT, Republican, a conservative Republican from South Carolina, admitted the Senate's middle-class tax cut would surely pass the House since it will take only 26 moderate Republican votes to ensure passage.

I don't agree with columnist David Brooks—on occasion I don't agree with him, perhaps most of the time I don't agree with him—but no one can ever dispute the brilliance in writing of this columnist for the New York Times. He is a great journalist. He writes so well

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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and explains things so well. I have great admiration for him.

He wrote yesterday, "Republicans have to realize that they are going to have to cave on tax rates." That is the way it is, "they are going to have to cave on tax rates."

Then on Tuesday, the day before yesterday, the senior Senator from Maine, OLYMPIA SNOWE, urged House Republican leaders to end the suspense for middle-class taxpayers. They shouldn't have to wonder, Senator SNOWE said, whether "we will ultimately raise taxes on low- to middle-income people." I assure them, we won't raise taxes on the middle class and the poor. That is what OLYMPIA SNOWE said.

On Wednesday, Senator SUSAN COLLINS joined her colleague from Maine, agreeing the idea of ending the suspense for the middle class "has merit."

Yesterday it seemed every practical Republican left in Washington was suddenly willing to say out loud what we have known for weeks: The only remaining option is for the House to pass the Senate bill. Dozens of House Republicans signed onto a letter urging Speaker BOEHNER to take the last exit before the cliff.

Neither President Obama nor Democrats in Congress have been ambiguous about our proposal to provide economic security for 98 percent of American families and 97 percent of small businesses, while asking the wealthiest 2 percent to contribute a little more to stop this runaway debt.

Now even a dyed-in-the-wool conservative such as Senator COBURN from Oklahoma has endorsed the Democratic approach. Here is what he said:

I know we have to raise revenue. I would rather see the rates go up than eliminate tax credits and deductions that benefit the middle class.

He has been heavily involved in everything that has happened the last several years in Washington dealing with what to do with the debt. When he joins in, that is significant, so it is apparent how this will end. The only question is when will it end. How long will Speaker BOEHNER make middle-class families wait for relief, and how long will he force the financial markets to wait for certainty? The longer he delays, the greater the risk to our economy.

So, JOHN BOEHNER, who is my friend, I urge you, you don't have to listen to me. Listen to your own caucus. Listen to prudent members of your own party and around the country. We can argue whether to give more unnecessary tax breaks to the wealthy tomorrow. We can discuss responsible ways to reduce our deficit next week. We can reform our Tax Code next year, but we must give economic certainty to the middle class now, today. Democrats agree, Independents agree, the majority of Republicans agree, and the American public agrees by a huge margin. Even dozens of CEOs from major corporations, whose personal taxes would go up under our plan, emphatically agree.

I have been saying for weeks the only people who aren't on board are the Republicans in Congress, but now even they are crying out for compromise. I only hope my friend JOHN BOEHNER is listening.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### THE FISCAL CLIFF

Mr. MCCONNELL. Yesterday afternoon I came to the floor and offered President Obama's proposal on the fiscal cliff to show that neither he nor Democrats in Congress are acting in good faith in these negotiations.

With just a few weeks to go before a potentially devastating and entirely avoidable blow to the economy, the President proposed a plan that members of his own party won't even vote for. So I think it is safe to say at this point that the President actually isn't interested in a balanced agreement, he is not particularly interested in avoiding the fiscal cliff, and he is clearly not interested at all in cutting any spending.

What the President is interested in, as we learned yesterday, is getting as much taxpayer money as he can, first by raising taxes on small businesses that he believes are making too much money, and then on everybody else. This is not so he can lower the debt or the deficit but so he can spend to his heart's content. For months the President has been saying all he wants is to raise taxes on the top 2 percent so he can tackle the debt and the deficit.

However, yesterday he finally revealed that is not his true intent. By demanding the power to raise the debt limit whenever he wants by as much as he wants, he showed what he is after is assuming unprecedented power to spend their dollars without any limit at all.

This isn't about getting a handle on deficits or debt for him. It is about spending even more than he already has. Why else would he demand the power to raise the debt limit on his own? And by the way, why on Earth would we ever consider giving a President who has brought us 4 years of trillion-dollar unchecked deficits the au-

thority to borrow? He is the last person who should have limitless borrowing power.

Look, the only way we ever cut spending around here is by using the debate over the debt limit to do it. Now the President wants to remove that spur to cut altogether. Of course, it gets in the way of his spending plans. Well, I assure you it is not going to happen. The American people want Washington to get spending under control, and the debt limit is the best tool we have to make the President take that demand seriously. The American people want us to fight to cut spending. It is a fight they deserve and a fight we are happy to have.

#### UNANIMOUS CONSENT REQUEST

Mr. President, I indicated to the majority leader that I was going to propose the following consent. I am prepared to ask for consent to allow the Senate to vote on the President's debt limit proposal. I would ask this either as an amendment to the Russia PNTR measure we will vote on this afternoon or as a freestanding bill, if that is preferred. Therefore, I now ask unanimous consent that it be in order to vote on an amendment, which is the President's debt limit extension proposal that I just described, prior to the passage of the Russia PNTR bill today.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader.

Mr. REID. Reserving the right to object, I have been thinking how best to describe what has been going on here on Capitol Hill the last couple of weeks.

Every morning I get up, the first thing I read is the sports page. I am disappointed in the sports page from the Washington Post. It is not nearly as good as it used to be, and the New York Times is not very good either, but I read them. There is always some good news on the sports page. Then I go to the front page to get some of the bad news. I follow sports no matter what it is—basketball, football, baseball, whatever it is—and I have watched very closely.

It is not one of my favorite teams, but it is really fun to watch the New York Jets. Coach Ryan has a problem. He has three quarterbacks: Sanchez, Tim Tebow, and he has a guy by the name of McElroy. He can't decide who their quarterback is going to be. That is the same problem the Republicans are having. Romney is gone, but he is still in the background. We have MCCONNELL and we have BOEHNER. Who is the quarterback, Mr. President? Who is the quarterback?

My friend talks about the trillions of dollars of debt. We just had an election. The people overwhelmingly know why we have this debt. The polling right before the election showed that the vast majority of the American people realized the debt was caused by George Bush. That is a fact.

We will have another jobs report out tomorrow. We had a little problem because of what happened with Hurricane